

1/31
TRADEMARK OFFICE

DEP #RET
Room 307

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yogo KOYAMA et al.

ATTN:

Refund Section
Accounting Div.
Office of Finance

Application No.: 10/689,978

Docket No.: 117242

Filed: October 22, 2003

For: PIEZOELECTRIC OSCILLATOR, PORTABLE TELEPHONE USING A
PIEZOELECTRIC OSCILLATOR, AND ELECTRONIC DEVICE USING A
PIEZOELECTRIC OSCILLATOR

REQUEST FOR REFUND TO DEPOSIT ACCOUNT


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is a copy of a Monthly Statement of Deposit Account (dated January, 2005) showing a charge of \$88.00 related to the above-referenced application. This charge is marked with Fee Code 1201, which is the Patent Office Fee for independent claims in excess of three. However, a total of only three independent claims have been filed.

Accordingly, it is respectfully requested that this charge be re-credited to Deposit Account No. 15-0461 and that the Patent Office acknowledge this credit in writing.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Eric D. Morehouse
Registration No. 38,565

JAO:EDM/gam

Date: January 31, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

BEST AVAILABLE COPY

DEPOSIT ACCOUNT USE
AUTHORIZATION
Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461

FEE
ONLY

Best Available Copy



Deposit Account Statement

Requested Statement Month: January 2005
Deposit Account Number: 150461
Name: OLIFF & BERRIDGE P L C
Attention: BARBARA WATTS
Address: 277 SOUTH WASHINGTON STREET
City: ALEXANDRIA
State: VA
Zip: 22314

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT
01/07	5	10689978	117242	1201	\$88.00

BEST AVAILABLE COPY

Best Available Copy

- 5 -

REMARKS

Re-examination and reconsideration of the subject matter identified in caption, pursuant to and consistent with 37 C.F.R. §1.111, and in light of the remarks which follow are respectfully requested.

Claims 1, 4-7, 10-20 and 22-24 are pending in the application and under consideration, as claims 2, 3, 8, 9 and 21 have been canceled.

By the above amendments, claims 2, 3, 8, 9 and 21 have been canceled and the subject matter thereof has been incorporated into independent claims 1, 7, 13 and 19. In addition, claims 5, 7, 13, 17, 19, and 23 have been revised to correct their dependency.

At the outset, Applicant notes with appreciation the indication of claims 3, 5, 9, 11, 15, 17, 21 and 23 as being allowable.

The specification stands objected under 37 CFR §1.75(d)(1) as allegedly failing to provide proper antecedent basis for the claimed subject matter. This objection is traversed for the following reasons.

The Examiner has requested clarification between cellular and microcellular. The recitation microcellular or microporous is applicable to cellular structures such as foam and similar structures. Cellular as defined by The American College Dictionary (Fourth Ed.) is a small enclosed cavity or space, as in a honeycomb. Micro refers to the small cellular structure. Based on the plain meaning of the words, it is understood that microcellular refers to small enclosed cavities. Thus, withdrawal of this objection is believed to be in order and it is respectfully requested.